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U.S. DISTRICT COURT E.D.N.Y.

★ JAN 12 2017 ★

LONG ISLAND OFFICE

ALB:CMM
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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

- - - - -X

UNITED STATES OF AMERICA

- against -

ROMMEL JOSSAEL QUINTANILLA-
MOREIRA,

Defendant.

- - - - -X

EASTERN DISTRICT OF NEW YORK, SS:

KENNETH LOPEZ, being duly sworn, deposes and states that he is a
Deportation Officer with the United States Immigration and Customs Enforcement, duly
appointed according to law and acting as such.

On or about January 12, 2017, within the Eastern District of New York and
elsewhere, the defendant ROMMEL JOSSAEL QUINTANILLA-MOREIRA, being an alien
who had previously been arrested and convicted of a felony, and was thereafter excluded and
removed from the United States, and who had not made a re-application for admission to the
United States to which the Secretary of the Department of Homeland Security, successor to
the Attorney General of the United States, had expressly consented, was found in the United
States.

(Title 8, United States Code, Section 1326(a) and 1326(b)(1))

FILED UNDER SEAL

AFFIDAVIT AND COMPLAINT IN
SUPPORT OF AN ARREST WARRANT

(8 U.S.C. §§ 1326(a) and 1326(b)(1))

MJ - 17 0033

The source of your deponent's information and the grounds for his belief are as follows:¹

1. I am a Deportation Officer with the United States Immigration and Customs Enforcement ("ICE") and have been with ICE for approximately 11 years. I have been involved in the investigation of numerous cases involving the illegal re-entry of aliens. I am familiar with the facts and circumstances set forth below from my participation in the investigation; my review of the investigative file, including the defendant's criminal history record; and from reports of other law enforcement officers involved in the investigation.

2. On November 23, 2016, ICE was notified by the New York State Division of Criminal Justice Service, which is the repository for fingerprints within New York State, that the defendant had submitted fingerprints in connection with a civil inquiry for "Adoption/Guardianship/Custody F/P." In connection with that inquiry, the defendant provided the following address: 38 East 5th Street, Huntington Station, New York 11746.

3. A review of the defendant's criminal history indicates that on December 22, 2010, the defendant was convicted of Assault in the Second Degree, in violation of Section 120.05 of the New York State Penal Law, a class D felony. The defendant, a citizen of El Salvador, was sentenced to time served, which equaled to 7 months in custody. The defendant was removed from the United States on March 7, 2011.

4. On January 12, 2017, at approximately 10:00 a.m., I approached an occupant of 38 East 5th Street, Huntington Station, New York 11746 (the "Individual"). The

¹ Because the purpose of this Complaint is to set forth only those facts necessary to establish probable cause to arrest, I have not described all the relevant facts and circumstances of which I am aware.

Individual stated that he resides at that location, which is a two-bedroom apartment that he shares with a couple (male and female) and their children. The Individual identified the male as "Rommel." While in the apartment, I observed a photograph of the defendant and a child at Chucky Cheese.

5. A search of immigration records has revealed that there exists no request by the defendant for permission from either the United States Attorney General or the Secretary of the Department of Homeland Security to re-enter the United States after removal.

6. I request that the Court issue an order sealing, under further order of the Court, all papers submitted in support of this application, including the affidavit and arrest warrant. Based upon my training and experience, I have learned that criminals actively search for criminal affidavits and arrest warrants via the internet. Therefore, premature disclosure of the contents of this affidavit and related documents will seriously jeopardize the investigation, including by giving targets an opportunity to flee or continue flight from prosecution, destroy or tamper with evidence and change patterns of behavior.

WHEREFORE, your deponent respectfully requests that the defendant
ROMMEL JOSSAEL QUINTANILLA-MOREIRA, be dealt with according to law.

A handwritten signature in dark ink, appearing to read "Kenneth Lopez", is written over a horizontal line.

KENNETH LOPEZ
Deportation Officer, United States Immigration
and Customs Enforcement

Sworn to before me this
1st day of January, 2017

/s/ Steven I. Locke

THE HONORABLE STEVEN I. LOCKE
UNITED STATES MAGISTRATE JUDGE
EASTERN DISTRICT OF NEW YORK